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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

LY, NGHI H

ART UNIT PAPER NUMBER

2686

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,801

Applicant(s)

HUNZINGER, JASON F.

Examiner

Bryan J Fox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Dailey (US006577874B1).

Regarding claim 10, Dailey discloses a system where a base station selects a temporary identification number for a mobile terminal (see column 4, lines 58-65) in a cellular communications system where a base station can provide radio telephone communications to one or more mobile terminals (see column 1, lines 30-49), which reads on the claimed "wireless communication system comprising a plurality of mobile stations" and "base station which communicates with the plurality of mobile stations," each station having a MIN which uniquely identifies it (see column 11, lines 33-37), which reads on the claimed "each mobile station has a unique address." The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). Each station is assigned a different temporary logical identification number long enough so that there are enough temporary identification numbers for each station (see

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column 11, lines 46-60), which reads on the claimed "comparing the addresses of each mobile station to determine a partial address length at which each mobile station may be uniquely identified," and, "the base station determines a partial address length at which each mobile station with a specific slot may be uniquely identified." Dailey further discloses that the temporary identification number is transmitted from the base station to the mobile terminal (see column 4, line 63 – column 5, line 2) and this is done in a TDMA system (see column 5, lines 21-27), which reads on the claimed "each of the mobile stations monitors a specific slot for its address."

Regarding claim 11, Dailey discloses that different base stations may use different lengths of temporary IDs (see column 11, lines 46-60), an ID in a slot in one base station may have a different length than an ID in a slot in another base station, satisfying the limitation of "the partial address length may vary between slots."

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims 1 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dailey in view of Alley et al (US006487264B1).

Regarding claim 1, Dailey discloses a system where a base station selects a temporary identification number for a mobile terminal (see column 4, lines 58-65), which reads on the claimed "method of addressing mobile stations in a wireless communication system". The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8), which reads on the claimed "obtaining a list of mobile addresses". The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). Each station is assigned a different temporary logical identification number long enough so that there are enough temporary identification numbers for each station (see column 11, lines 46-60), which reads on the claimed "varying the length of the partial address to ensure uniqueness of the partial address." Dailey fails to teach using a portion of the address as the temporary address.

In a similar field of endeavor, Alley et al discloses an RF modem apparatus (see column 1, lines 17-22) that uses the least significant byte in place of the full 32 bit address (see column 12, lines 45-49), which reads on the claimed "using a portion of each mobile address to define a partial address to communicate with each mobile station".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Alley et al to include the above use of the least significant byte in order to simplify the determination of the temporary ID.

Regarding claim 4, Dailey fails to disclose selecting a consecutive portion of the address as the partial address.

In a similar field of endeavor, Alley et al teaches the use of the least significant byte as the temporary ID (see Alley et al column 12, lines 45-49), which reads on the claimed "selecting a consecutive portion of the address as the partial address".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Alley et al to include the above use of the least significant byte in order to simplify the determination of the temporary ID.

Regarding claim 5, the combination of Dailey and Alley et al discloses that by using a relatively short temporary identification number, messages can be sent and received over a single time slot (see Dailey column 5, lines 21-25), which reads on the claimed "setting the partial address length to a frame length or less".

Regarding claim 6, the combination of Dailey and Alley et al discloses that by assigning a relatively short temporary identification number, messages from the mobile terminal can include more payload information (see Dailey column 5, lines 6-10), which reads on the claimed "selecting a partial address length to minimize the bits transmitted by the wireless communication system".

Regarding claim 7, the combination of Dailey and Alley et al discloses that the temporary logical identification number is used to identify the mobile terminal in a group

call origination message (see Dailey column 11, lines 3-9), which reads on the claimed "addressing the mobile stations using addresses of the partial address length".

Claims 2, 3, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dailey in view of Wiley (US006300864B1).

Regarding claim 2, Dailey discloses a system where a base station selects a temporary identification number for a mobile terminal (see column 4, lines 58-65), which reads on the claimed "method of addressing mobile stations in a wireless communication system". The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8), which reads on the claimed "obtaining a list of mobile addresses". The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). Each station is assigned a different temporary logical identification number long enough so that there are enough temporary identification numbers for each station (see column 11, lines 46-60), which reads on the claimed "determining a partial address length and portion to communicate with each mobile station." Dailey fails to disclose sorting the list of mobile addresses by slot location.

In a similar field of endeavor, Wiley discloses a system that determines a subset of the group of mobile stations that require paging within the slot and determines addresses for mobile stations within the subset (see column 3, lines 20-38), which reads

on the claimed "sorting the list of mobile addresses by slot location so that each mobile station in a slot has a unique partial address."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Willey to include the above sorting by slot in order to efficiently assign IDs.

Regarding claim 3, Dailey discloses that different base stations may use different lengths of temporary IDs (see column 11, lines 46-60), an ID in a slot in one base station may have a different length than an ID in a slot in another base station, satisfying the limitation of "selecting different partial address lengths for different slots."

Regarding claim 15, Dailey discloses a system where a base station selects a temporary identification number for a mobile terminal (see column 4, lines 58-65). The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). Each station is assigned a different temporary logical identification number long enough so that there are enough temporary identification numbers for each station (see column 11, lines 46-60), which reads on the claimed "selecting a partial address length which results in each terminal of the wireless communication system obtaining a unique partial address." Dailey fails to disclose sorting the list of mobile addresses by slot location.

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In a similar field of endeavor, Willey discloses a system that determines a subset of the group of mobile stations that require paging within the slot and determines addresses for mobile stations within the subset (see column 3, lines 20-38), which reads on the claimed "dividing the addresses into groups based on the monitored slot, wherein each address in a group is unique."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Willey to include the above sorting by slot in order to efficiently assign IDs.

Regarding claim 16, Dailey discloses that different base stations may use different lengths of temporary IDs (see column 11, lines 46-60), an ID in a slot in one base station may have a different length than an ID in a slot in another base station, satisfying the limitation of "permitting different address lengths in each group."

Claims 8, 9, 12-14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dailey in view of Alley et al.

Regarding claim 8, Dailey discloses a system where a base station selects a temporary identification number for a mobile terminal (see column 4, lines 58-65) in a cellular communications system where a base station can provide radio telephone communications to one or more mobile terminals (see column 1, lines 30-49), which reads on the claimed "wireless communication system comprising a plurality of mobile stations" and "base station which communicates with the plurality of mobile stations", each station having a MIN which uniquely identifies it (see column 11, lines 33-37),

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which reads on the claimed "each mobile station has a unique address." The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). Each station is assigned a different temporary logical identification number long enough so that there are enough temporary identification numbers for each station (see column 11, lines 46-60), which reads on the claimed "comparing the addresses of each mobile station to determine a partial address length at which each mobile station may be uniquely identified." Since different base stations may use different lengths of temporary IDs, an ID in a slot in one base station may have a different length than an ID in a slot in another base station, satisfying the limitation of "the partial address length may vary between slots." Dailey fails to teach using a portion of the address as the temporary address.

In a similar field of endeavor, Alley et al discloses an RF modem apparatus (see column 1, lines 17-22) that uses the least significant byte in place of the full 32-bit address (see column 12, lines 45-49), which reads on the claimed "determine a partial address length and portion to communicate with each mobile station".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Alley et al to include the above use of the least significant byte in order to simplify the determination of the temporary ID.

Regarding claim 9, the combination of Dailey and Alley et al discloses the use of a TDMA system using frames (see Dailey column 5, lines 21-25). In TDMA systems, a mobile terminal monitors a slot for its address to determine if it is being paged.

Regarding claim 12, Dailey fails to expressly disclose that the partial address is selected from consecutive bits of the unique address.

In a similar field of endeavor, Alley et al discloses that the least significant byte may be used as the temporary ID (see Alley et al column 12, lines 45-49), which reads on the claimed "the partial address is selected from consecutive bits of the unique address."

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Alley et al to include the above use of the least significant byte in order to simplify the determination of the temporary ID.

Regarding claim 13, the combination of Dailey and Alley et al discloses that by using a relatively short temporary identification number, messages can be sent and received over a single time slot (see Dailey column 5, lines 21-25), which reads on the claimed "the partial address length is frame length or less".

Regarding claim 14, Dailey discloses a system where a base station selects a temporary identification number for a mobile terminal (see column 4, lines 58-65), which reads on the claimed "wireless communication system". The radio base station has stored in base station memory a table of mobile identification numbers associated with assigned temporary logical identification numbers (see column 13, lines 3-8). Each station is assigned a different temporary logical identification number long enough so that there are enough temporary identification numbers for each station (see column 11, lines 46-60), which reads on the claimed "define a partial address which results in each terminal of the wireless communication system obtaining a unique partial address."

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Since different base stations may use different lengths of temporary IDs, an ID in a slot in one base station may have a different length than an ID in a slot in another base station, satisfying the limitation of "the partial address length may vary between slots." Dailey fails to teach using a portion of the address as the temporary address.

In a similar field of endeavor, Alley et al discloses an RF modem apparatus (see column 1, lines 17-22) that uses the least significant byte in place of the full 32-bit address (see column 12, lines 45-49), which reads on the claimed "determine a partial address length and portion to communicate with each mobile station".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Dailey with Alley et al to include the above use of the least significant byte in order to simplify the determination of the temporary ID.

Regarding claim 17, Dailey fails to expressly disclose the use of consecutive bits in the temporary address.

In a similar field of endeavor, Alley et al discloses an RF modem apparatus (see column 1, lines 17-22) that uses the least significant byte in place of the full 32-bit address (see column 12, lines 45-49), which reads on the claimed "determine a partial address length and portion to communicate with each mobile station".

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Dailey and Fan et al with Alley et al to include the above use of part of the full address in the temporary address in order to simplify the determination of the temporary ID.

Response to Arguments

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Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J Fox whose telephone number is (703) 305-8994. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJF

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600